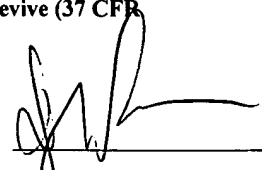


FORM PTO-1390 (REV 10-94)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 14434.92USWO
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) UNKNOWN 10/561489
INTERNATIONAL APPLICATION NO. PCT/JP2004/009342	INTERNATIONAL FILING DATE JULY 1, 2004	PRIORITY DATE CLAIMED JULY 1, 2003	
TITLE OF INVENTION LIGHT DIFFRACTION METHOD AND DIFFRACTION DEVICE, DIFFRACTION GRATING USED FOR THEM, AND POSITION ENCODING DEVICE			
APPLICANT(S) FOR DO/EO/US MIYAZAKI et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11. to 16. below concern document(s) or information included:			
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 Form 1449, 4 references, copy of International Search Report (Form PCT/ISA/210) in English and Japanese language.			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14. <input type="checkbox"/> A substitute specification.			
15. <input type="checkbox"/> A change of power of attorney and/or address letter.			
16. <input checked="" type="checkbox"/> Other items or information: Application Data Sheet (4 pages), International Publication Page(s) of WO 2005/003823 A1, Communication re: Requested Figure, PCT Request (in Japanese language), Form PCT/IB/301, Form PCT/IB/304, Form PCT/IB/308 (2).			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) UNKNOWN 10/561489		INTERNATIONAL APPLICATION NO. PCT/JP2004/009342		ATTORNEY'S DOCKET NUMBER 14434.92USWO	
BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):					
[X] a) Basic National fee.....\$300.00				\$300.00	
[X] b) Examination fee.....\$200.00				\$200.00	
[X] c) Search fee.....\$500.00				\$500.00	
TOTAL OF ABOVE CALCULATIONS =				\$1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
41 - 100 =	0 / 50 =		X \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 = 0		X \$50.00	\$0.00	
Independent claims	4 - 3 = 1		X \$200.00	\$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1200.00	
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$0.00	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$0.00	
TOTAL NATIONAL FEE =				\$1200.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$0.00	
TOTAL FEES ENCLOSED =				\$1200.00	
				Amount to be refunded	\$0.00
				charged	\$0.00
<p>a. [X] Check(s) in the amount of <u>\$1200.00</u> to cover the above fees is enclosed.</p> <p>b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3478</u>.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO: Douglas P. Mueller Hamre, Schumann, Mueller & Larson, P.C. P.O. Box 2902-0902 Minneapolis, MN 55402</p>			<p>SIGNATURE: </p> <p>NAME: Douglas P. Mueller REGISTRATION NUMBER: 30,300</p>		

S/N UNKNOWN

PATENT

10/561489

IAP20 Rec'd PCT/PTO 20 DEC 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIYAZAKI et al. Examiner: UNKNOWN
Serial No.: UNKNOWN Group Art Unit: UNKNOWN
Filed: CONCURRENT Docket: 14434.92USWO
HEREWITH
Title: LIGHT DIFFRACTION METHOD AND DIFFRACTION
DEVICE, DIFFRACTION GRATING USED FOR THEM,
AND POSITION ENCODING DEVICE

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 775296325 US

Date of Deposit: DECEMBER 20, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

By: _____

Name: RALYNN WILHELM

COMMUNICATION REGARDING REQUESTED FIGURE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In connection with the above-identified application, applicant respectfully requests that Figure 1 be printed on the front page of the published application.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record Douglas P. Mueller (Reg. No. 30,300), at (612) 455.3804.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

Dated: December 20, 2005

By: _____

Douglas P. Mueller
Reg. No. 30,300

DPM:nel

10/561489

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IAP20 Rec'd PCT/PTO 20 DEC 2005

Applicant: MIYAZAKI et al.

Docket: 14434.92USWO

Title: LIGHT DIFFRACTION METHOD AND DIFFRACTION DEVICE, DIFFRACTION GRATING USED FOR THEM, AND POSITION ENCODING DEVICE

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 775296325 US

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I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MS PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 

Name: RALYNN WILHELM

MS PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 41 pgs; 15 claims; Abstract- 1 pg.
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 12 sheets of formal drawings
- ☒ Check in the amount of \$1200.00 to cover the Filing Fee.
- ☒ Information Disclosure Statement, Form 1449, 4 reference(s).
- ☒ Application Data Sheet, 4 pages.
- ☒ Other: Form PTO-1390, Preliminary Amendment, WO 2005/003823 A1, copy of the International Application as filed, translation of the International application into English, Communication re: Requested Figure, copy of International Search Report (Form PCT/ISA/210) in English and Japanese language, PCT Request (in Japanese language), Form PCT/IB/301, Form PCT/IB/304, Form PCT/IB/308 (2).
- ☒ Return postcard

CLAIMS AS FILED

Number of Claims Filed	No.	In Excess of	Extra	Rate	Fee
Total Claims	15	20	0	50.00	= 0.00
Independent Claims	4	3	1	200.00	= 200.00
Multiple Dependent Claims Fee					= 0.00
Basic Filing Fee					= 300.00
Search Fee					= 500.00
Examination Fee					= 200.00
Utility Application Size Fee	41	100	0	250.00	= 0.00
Total					= 1200.00

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. A duplicate of this sheet is enclosed.

Hamre, Schumann, Mueller & Larson, P.C.
P.O. Box 2902-0902 Minneapolis, MN 55402
612.455-3800

By: 

Name: Douglas P. Mueller

Reg. No.: 30,300

Initials: DPM:nel

52835

PATENT TRADEMARK OFFICE

(PTO TRANSMITTAL - NEW FILING)